PATENT COOPERATION TREATY

From t	the RNATIONAL SEAF	RCHING AUTHO	DRITY			0 7 OCT 2004	
To:				PC WIPO PCT			
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	see form F	PCT/ISA/220	a[11	WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43 <i>bis</i> .1)			
			0	Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)			
	cant's or agent's file form PCT/ISA/22			FOR FURTHER ACTION See paragraph 2 below			
1	national application N NB2004/001500	No.	International filing date (c 06.05.2004	lay/month/year)	Priority date (day/month/year) 12.05.2003		
1		sification (IPC) or	both national classification	and IPC			
G07	'C9/00						
Appli KO	icant NINKLIJKE PHIL	IPS ELECTRO	ONICS N.V.				
1.	This opinion co	ntains indicati	ons relating to the foll	owing items:			
	☑ Box No. I	Basis of the or	oinlon				
	🛭 Box No. II	Priority		gard to novelty, inventive step and industrial applicability			
	☐ Box No. III	Non-establish	ment of opinion with rega				
	☐ Box No. IV	Lack of unity of					
	⊠ Box No. V	Reasoned state applicability; c	tement under Rule 43 <i>bis</i> itations and explanation	s.1(a)(i) with regard to s supporting such stat	novelty, inventement	itive step or Industrial	
	☐ Box No. VI	Certain docum					
	☐ Box No. VII		s in the international app		·		
	☐ Box No. VIII	Certain observ	ations on the internation	nal application			
2.	FURTHER ACT	ION					
	If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1 <i>bis</i> (b) that written opinions of this International Searching Authority will not be so considered.						
	If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.						
For further options, see Form PCT/ISA/220.							
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European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465

Mülthaler, E

Telephone No. +49 89 2399-7625



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International application No. PCT/IB2004/001500

_	Box No. I Basis of the opinion	
1.	With regard to the language, this opinion has been established on the basis of the international applicate the language in which it was field, unless otherwise indicated under this item.	ation in
	This opinion has been established on the basis of a translation from the original language into the language , which is the language of a translation furnished for the purposes of international sea (under Rules 12.3 and 23.1(b)).	following rch
2.	With regard to any nucleotide and/or amino acid sequence disclosed in the international application necessary to the claimed invention, this opinion has been established on the basis of:	and
	a. type of material:	
	□ a sequence listing .	
	□ table(s) related to the sequence listing	
	b. format of material:	
	☐ · in written format	
	in computer readable form	
	c. time of filing/furnishing:	
	☐ contained in the international application as filed.	
	ifiled together with the international application in computer readable form.	
	☐ furnished subsequently to this Authority for the purposes of search.	
3.	In addition, in the case that more than one version or copy of a sequence listing and/or table relat has been filed or furnished, the required statements that the information in the subsequent or add copies is identical to that in the application as filed or does not go beyond the application as filed, appropriate, were furnished.	ntionai
4.	. Additional comments:	

International application No. PCT/IB2004/001500

Вс	ox No. II	Priority						
. 🛛	The fo	ollowing document h	nas not beer	n furnished	i :			
	×	copy of the earlie	r application	whose pr	iority has been claimed (Rule 43 <i>bis</i> .1 and 66.7(a)).			
		translation of the	earlier appli	cation who	ose priority has been claimed (Rule 43bis.1 and 66.7(b)).			
	Conse	equently it has not t theless been establ	een possibl	e to consi	der the validity of the priority claim. This opinion has ion that the relevant date is the claimed priority date.			
. 🗆	This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43 <i>bis</i> .1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.							
	J							
. Ac	dditional	observations, if ned	cessary:					
. Ac	dditional		cessary:					
		observations, if neo	·					
Bo	ox No. V	observations, if neo	ement unde	er Rule 43 xplanatio	Sbis.1(a)(I) with regard to novelty, inventive step or ns supporting such statement			
Bo In	ox No. V	observations, if neo / Reasoned stat applicability; cita	ement unde	er Rule 43 xplanatio	Sbis.1(a)(I) with regard to novelty, inventive step or ns supporting such statement			
Bo In	ox No. \ dustrial	observations, if neo / Reasoned state applicability; citaet	ement unde tions and e	xplanatio	ns supporting such statement			
Bo In	ox No. \ dustrial	observations, if neo / Reasoned state applicability; citaet	ement unde tions and e	er Rule 43 xplanatio Claims Claims	3bis.1(a)(i) with regard to novelty, inventive step or ns supporting such statement 3-12, 14-22 1,2,13			
Bo In . St	ox No. \ dustrial tatement	observations, if neo / Reasoned stat applicability; cita t	ement unde tions and e Yes:	xplanatio Claims Claims	ns supporting such statement 3-12, 14-22			
Bo In . St	ox No. \ dustrial tatement	observations, if neo / Reasoned state applicability; citaet	ement unde tions and e Yes: No:	xplanatio Claims Claims	ns supporting such statement 3-12, 14-22			
Bo in . St	ox No. \ Idustrial Idustri	observations, if neo / Reasoned stat applicability; cita t	ement unde tions and e Yes: No: Yes:	Claims Claims Claims Claims Claims	ns supporting such statement 3-12, 14-22 1,2,13			

2. Citations and explanations

see separate sheet

PCT/IB2004/001500

Re Item V.

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: US 2003/0068044 A1 D2: EP 0 941 696 A1

D3: WO 00/36566 A1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-22 is not new and/or not inventive in the sense of Article 33(2) and 33(3) PCT.

1. Independent claim 1:

The document D1 discloses (the references in parentheses applying to this document): A method for selectively activating biometric sensors (fig. 1: ref. 10) to authenticate the identity of an individual while conserving system resources, comprising the acts of (description: page 3 paragraphs [0034]-[0038]; fig. 2):

- activating a first tier biometric sensor (fig. 1: ref. 15) to verify the biometric of said individual (description: page 3 paragraph [0037]; fig. 2: steps 105-135); and
- activating a second tier biometric sensor (fig. 1: ref. 20-25) to verify the biometric of said individual in the case where said individual is <u>successfully verified</u> with said first tier biometric sensor (description: page 3, paragraph [0037] last sentence paragraph [0038] line 6; fig. 2: steps 135-145).

Therefore, independent claim 1 is not new in view of D1 (Article 33(2) PCT).

2. Independent claim 13 (the system claim for the method claim 1):

The document D1 discloses (the references in parentheses applying to this document): A system (fig. 1) for selectively activating biometric sensors (fig. 1: ref., 15, 20-25) to authenticate the identity of an individual while conserving system resources, comprising:

- a biometric security device (fig. 1: ref. 10) comprising a plurality of biometric devices;
- at least one processor (fig. 1: ref. 35) connected to said biometric security device (fig. 1: ref. 10), said at least one processor (fig. 1: ref. 35) including one or more databases (fig. 1: ref. 45) for storing biometric and user data;
- said processor programmed to process the method disclosed in independent claim 1

(see citations relating to the method of claim 1).

Therefore, independent claim 13 is not new in view of D1 (Article 33(2) PCT).

3. Independent claims 3, 5, 7, 9, 15, 17, 19, 21:

Document D1 discloses a system and method for selectively activating biometric sensors organized in two tiers to authenticate the identity of an individual. The second tier biometric sensor (fig. 1: ref. 20-25), the more sophisticated, is activated only after a condition related to the first tier biometric sensor is fulfilled (description: page 3, paragraph [0037] last sentence - paragraph [0038] line 6; fig. 2: steps 135-145). Independent method claims 3, 5, 7, 9 and the corresponding independent system claims 15, 17, 19 and 21, disclose only variation of this said condition, in order to activate the second tier of the biometric sensors for authenticating the individual. The disclosed conditions by the application are well known in the state of the art of using biometric sensors. Starting from D1 a person skilled in the art is able without involving an inventive step to change the criteria according to his needs. Therefore, independent claims 3, 5, 7, 9, 15, 17, 19, 21 are **not inventive** in view of D1 (**Article 33(3) PCT**).

Pease note, that conserving system resources by activating a biometric sensor only when using it, the underlying concept of this application, is also known (see document D2).

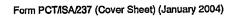
4. Dependent claims:

Dependent claims 2, 4, 6, 8, 10-12, 16, 18, 20 and 22 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1-D3 and the corresponding passages cited in the search report.

PATENT COOPERATION TREATY

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From INTER	the RNATIONAL SEAF	RCHING AUTH	ORITY	0 7 OCT 2004		
To:				•	PC.	WIPO PCT
	see form F	PCT/ISA/220	٠	WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43 <i>bis</i> .1)		
		-	4/'	Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)		
1 ''	cant's or agent's file form PCT/ISA/22			FOR FURTHER ACTION See paragraph 2 below		
	national application N		International filing date ('day/month/year)
1	Г/B2004/001500		06.05.2004		12.05.2003	
Inter	national Patent Class	sification (IPC) or	both national classification	and IPC	L	
G07	7C9/00					
	icant NINKLIJKE PHIL	IPS ELECTR	ONICS N.V.			
1.	This opinion co	ntains indicat	ions relating to the foll	owing items:		
1	Box No. I	Basis of the o	pinion		•	
	☑ Box No. II	Priority		gard to novelty, inventive step and industrial applicability ois.1(a)(i) with regard to novelty, inventive step or industrial ns supporting such statement		
1	☐ Box No. III					
	☐ Box No. IV	Lack of unity				
	☑ Box No. V	Reasoned sta applicability; of	tement under Rule 43 <i>bi</i> itations and explanation			
	☐ Box No. VI	Certain docur				
	☐ Box No. VII		ts in the international app			
	☐ Box No. VIII	Certain obser	vations on the internation	nal application		
2.	FURTHER ACTI	ION				
	If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the international Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the international Bureau under Rule 66.1 <i>bis</i> (b) that written opinions of this International Searching Authority will not be so considered.					
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	For further optio	ns, see Form P	CT/ISA/220.			
3. For further details, see notes to Form PCT/ISA/220.						
Non	ne and mailing addre	ess of the ISA:		Authorized Officer		
	European D-80298 f Tel. +49 8	Patent Office Munich 19 2399 - 0 Tx: 52	3656 epmu d	Mülthaler, E	00 0000 7805	
1	Fax: +49 8	89 2399 - 4465		Telephone No. +49 8	92 5799-1059	* Clific e an Car



International application No. PCT/IB2004/001500

	Вох	No	o. I B	asis of the opinion
1.	With the	re lanç	gard to guage	the language , this opinion has been established on the basis of the international application in which it was field, unless otherwise indicated under this item.
		lan	nguage	on has been established on the basis of a translation from the original language into the following , which is the language of a translation furnished for the purposes of international search ules 12.3 and 23.1(b)).
2.	With	n re ess	gard to ary to t	any nucleotide and/or amino acid sequence disclosed in the international application and the claimed invention, this opinion has been established on the basis of:
	a. ty	/pe	of mat	erial:
	[a sequ	uence listing
	(]	table(s	s) related to the sequence listing
	b. fo	orm	at of m	aterial:
	. [in writ	ten format
	!		in con	nputer readable form
	c. ti	ime	of filing	g/furnishing:
			contai	ned in the international application as filed.
	I		filed to	ogether with the international application in computer readable form.
	1		furnis	hed subsequently to this Authority for the purposes of search.
3.		ha cc	as beer opies is	on, in the case that more than one version or copy of a sequence listing and/or table relating thereton in filed or furnished, the required statements that the information in the subsequent or additional identical to that in the application as filed or does not go beyond the application as filed, as tate, were furnished.

4. Additional comments:

International application No. PCT/IB2004/001500

						·			
	Box	No. II	Priority						
1.	×	The fol	lowing document has n	ot bee	n furnished:				
	translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).								
	Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.								
2.	This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43 <i>bis</i> .1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.								
3.	3. Additional observations, if necessary:								
	Box No. V Reasoned statement under Rule 43 <i>bls</i> .1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
1.	Stat	tement							
	Nov	elty (N)		Yes: No:	Claims Claims	3-12, 14-22 1,2,13			
	Inve	entive st	ep (IS)	Yes: No:	Claims Claims	1-22			
	Indu	ustrial a	pplicability (IA)	Yes: No:	Claims Claims	1-22			

see separate sheet

Re Item V.

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

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1. Independent claim 1:

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Therefore, independent claim 1 is not new in view of D1 (Article 33(2) PCT).

2. Independent claim 13 (the system claim for the method claim 1):

The document D1 discloses (the references in parentheses applying to this document): A system (fig. 1) for selectively activating biometric sensors (fig. 1: ref., 15, 20-25) to authenticate the identity of an individual while conserving system resources, comprising:

- a biometric security device (fig. 1: ref. 10) comprising a plurality of biometric devices;
- at least one processor (fig. 1: ref. 35) connected to said biometric security device (fig. 1: ref. 10), said at least one processor (fig. 1: ref. 35) including one or more databases (fig. 1: ref. 45) for storing biometric and user data;
- said processor programmed to process the method disclosed in independent claim 1

(see citations relating to the method of claim 1).

Therefore, independent claim 13 is not new in view of D1 (Article 33(2) PCT).

3. Independent claims 3, 5, 7, 9, 15, 17, 19, 21:

Document D1 discloses a system and method for selectively activating biometric sensors organized in two tiers to authenticate the identity of an individual. The second tier biometric sensor (fig. 1: ref. 20-25), the more sophisticated, is activated only after a condition related to the first tier biometric sensor is fulfilled (description: page 3, paragraph [0037] last sentence - paragraph [0038] line 6; fig. 2: steps 135-145). Independent method claims 3, 5, 7, 9 and the corresponding independent system claims 15, 17, 19 and 21, disclose only variation of this said condition, in order to activate the second tier of the biometric sensors for authenticating the individual. The disclosed conditions by the application are well known in the state of the art of using biometric sensors. Starting from D1 a person skilled in the art is able without involving an inventive step to change the criteria according to his needs. Therefore, independent claims 3, 5, 7, 9, 15, 17, 19, 21 are **not inventive** in view of D1 (**Article 33(3) PCT**).

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4. Dependent claims:

Dependent claims 2, 4, 6, 8, 10-12, 16, 18, 20 and 22 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1-D3 and the corresponding passages cited in the search report.